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| 10/534,603 | 11/14/2005 | Werner Harter | 10191/4246 | 8472 |
| 26646 7590 02/29/2008 KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004 | | | | |
| EXAMINER | | | | |
| RIZK, SAMIR WADIE | | | | |
| ART UNIT | | PAPER NUMBER | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/534,603

Applicant(s)

HARTER ET AL.

Examiner

SAM RIZK

Art Unit

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 May 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-85/86)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date See Continuation Sheet

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :5/11/2005, 8/29/2005, 5/26/2006.

DETAILED ACTIONS

- Claims 11-20 have been submitted for examination
- Claims 1-10 have been cancelled
- Claims 11-20 have been rejected

Claim Objections

1. Miss-spelling, Claim 11, line 11 should read: "transmitting:
2. Miss-spelling, Claim 11, line 13 should read "according".
3. Miss-spelling, Change claim 12, line 2 "secondsignature" to "second signature".
4. Miss-spelling, Claim 12, line 3 should read "parallel".
5. Claim 15, line 6 delete the word "and".
6. Claim 19 is objected to for failing to include every limitation from the previous claim 18. Claim 19 should recite the method of claim 18. See MPEP section 608.01(n).

Appropriate correction is required.

Specification

7. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Drawings

8. The drawings are objected to because Figures 1, 3 and 4 reference characters lack brief description of the intended function as per the specification.
Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended

replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claim 18 is rejected under 35 U.S.C. 101 because the claim invention is directed to non-statutory subject matter. Claim 18 is a computer software program element and is not tangibly embodied. Un-executed Computer programs are non-statutory. Claimed algorithms must produce tangible, useful and concrete results.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 11-20 are rejected under 35 U.S.C. 102(b) as being Smelser US patent no. 4782487 (Hereinafter Smelser).
11. In regard to claim 11, Smelser teaches:
 - (New) A method for transmitting data, comprising:
 - forming, according to a specifiable signature formation method, a first signature as a function of the data to be transmitted;
(Note: FIG> 1, reference characters (20) and (28) and Fig. 5, reference characters (180), (184) and (188) and col. 6, lines (17-19) in Smelser)
 - transmitting in messages the first signature together with the data;
(Note: Fig. 5, reference character (184) in Smelser)
 - forming a second signature according to the specifiable signature formation method as a function of the transmitted data;
(Note: col. 6, lines (22-25) in Smelser)
 - comparing the first signature with the second signature;
(Note: col. 6, lines (22-25) in Smelser)
 - inverting the data to be transmitted;
(Note: col. 6, lines (42-43) in Smelser)

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- forming the first signature according to the specifiable signature formation method as a function of the data to be transmitted and of the inverted data;

(Note: col. 6, lines (43-45) in Smelser)

- transmitting the first signature and the data; inverting the transmitted data;

(Note: FIG. 5, reference character (196) in Smelser)

- forming the second signature according to the specifiable signature formation method as a function of the inverted transmitted data and the transmitted data; and

(Note: col. 6, lines (45-55) in Smelser)

- comparing the first signature with the second signature.

(Note: FIG. 5, reference characters (200) and (212) and col. 6, lines (22-25) in Smelser)

12. In regard to claim 12, Smelser teaches:

- (New) The method as recited in Claim 11, wherein:
- at least one of the first signature and the second signature is formed in a bit-parallel manner in accordance with a signature register having multiple inputs.

(Note: FIG. 3 in Smelser)

13. In regard to claim 13, Smelser teaches:

- (New) The method as recited in Claim 11, wherein:

- at least one of the first signature and the second signature is formed over several messages.

(Note: FIG. 6 "DATA LFSR" in Smelser)

14. In regard to claim 14, Smelser teaches:

- The method as recited in Claim 13, wherein:
- at least one of the first signature and the second signature is transmitted by being distributed over several messages.

(Note: col. 7, lines (35-63) in Smelser)

15. In regard to claim 15, Smelser teaches:

- (New) The method as recited in Claim 11, wherein:
- the data to be transmitted includes one of:
- input data of a precision of one bit and that arrives at processing units in messages via data buses, and

(Note: FIG. 1, reference characters (10) and (28) in Semlser)

- calculation results that are redundantly generated in parallel on multiple computers, and

(Note: FIG. 1, reference character (24) in Semlser)

- in order to check a match of the data only the corresponding signatures are transmitted.

(Note: FIG. 1, reference characters (24) & (28) in Semlser)

16. In regard to claim 16, Smelser teaches:

- (New) The method as recited in Claim 11, wherein:

- the method is used for checking a memory content of a memory area of one of a read-only memory, flash memory, and a read-write memory.

(Note: FIG. 1, reference characters (16) in Semlser)

17. Claims 17-20 are rejected for the same reasons as per claim 11.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Stiffler US patent no. 4,736,376 teaches self-checking error correcting encoder/decoder.
- Hancock et al. US patent no. 4,277,844 teaches method of detecting and correcting errors in digital data storage systems

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Rizk whose telephone number is (571) 272-8191. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques Louis-Jacques can be reached on (571) 272-6962. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronics Business Center (EBC) at 866-217-9197 (toll-free)

/Sam Rizk/

Examiner, Art Unit 2112

/JACQUES H LOUIS-JACQUES/

Supervisory Patent Examiner, Art Unit 2112